STILLWATER COUNTY
COMMISSIONER MINUTES

REGULAR MEETING
June 21, 2022

PRESENT
Commissioners Tyrel Hamilton, Chair, Steve Riveland, member. Heidi L. Stadel, Clerk & Recorder
Others Present: Randy Smith, SCSO; Chad Coles, Facilities; Jerry Friend, Treasurer; Stephanie Ray, Economic Development; Kevin Ray, Road & Bridge; Pam Cunningham, Solid Waste; Jeff Ruffatto, Commissioner Elect; Marlo Pronovost, Stillwater County News. Citizens: Fiona Nave, Maureen Davey, Hank Davey, Dan O’Neil.

PLEDGE
Commissioner Hamilton opened the meeting with the Pledge of Allegiance.

MINUTES
May 10, 2022. Commissioner Riveland MOVED to approve the minutes from May 10, 2022. Commissioner Hamilton SECONDED. No discussion. Motion passed unanimously.

CLAIMS
109734 through 109953 in the amount of $519,285.23. Commissioner Riveland MOVED to approve the claims 109734 through 109953 in the amount of $519,285.03. Commissioner Hamilton SECONDED. No discussion. Motion passed unanimously.

FILE ITEMS
Commission
A) Resolution 2022-17 Stillwater County Disaster Declaration
B) Resolution 2022-18 Stillwater County Flood Incident Evacuation Order
C) Resolution 2022-19 Declaring Road Closures Due to Flooding
D) Resolution 2022-20 to Impose a 2 Mill Emergency Levy for Tax Year 2023 for Stillwater County Flood Relief
E) Resolution 2022-21 to Cancel the Commissioner’s Traveling Agenda Meeting for June 14, 2022
F) Resolution 2022-23 Rescinding the 2022-18 Evacuation Order

Commissioner Riveland MOVED to file the file items. Commissioner Hamilton SECONDED. Commissioner Hamilton stated that Stillwater County residents in the southern half of the county have been faced with an unimaginable disaster and he feels for anyone who has been affected by this in any way, shape or form. The Commission is seeing damage to not only homes and businesses but also people are being affected by the roads being washed out. The Commission, EOC and everyone involved has worked long hours over the last week, including and thanks to every county department that have worked very long hours. Pam and her Solid Waste Board worked to extend solid waste site hours and waive fees as the county works towards clean up. Commissioner Hamilton wants to extend his sincerest thanks to everyone and the numerous volunteers who have stepped up to help these folks as the county continues to work towards recovery. The Commission will help in any way they can and again, Commissioner Hamilton wants to extend his deepest sympathy to those affected by this tragedy. Commissioner Riveland also extended thanks to the Road & Bridge Department for all the long hours worked and trying to keep the roads open and going as best they can. Commissioner Hamilton further stated that the Commission has been working with the State DNRC to put pressure on the Montana Department of Transportation to get contractors under contract for the washout at the Rocking J, there is a 7 to 10 day work window on that so that bridge may be open as early as the middle of next week as long as water levels stay down. Equipment and rock is staged. This bridge was the main priority to get open and have the
state push it up their priority list. Discussion – Commissioner Hamilton stated that the county has to exhaust all county options and resources to be eligible for flood relief funding to offset the extremely high costs of flood relief. Motion passed unanimously.

REGULAR BUSINESS

Planning
A) RFP on-call planning services award recommendation. Stephanie Ray commented that the county had an RFP for planning services in May and did the review. There was one submittal from Forrest Mandeville Consulting. Forrest did meet the requirements of the RFP submittal. An internal review was done and the recommendation is to award the services to Forrest Mandeville consulting. No further comments or questions heard. Commissioner Riveland MOVED to approve the RFP on-call planning services award recommendation. Commissioner Hamilton SECONDED. No further discussion. Motion passed unanimously.

Solid Waste
A) Dowl Testing Contract. Pam Cunningham explained that well testing has been done on the old landfill every other year. Next year will be 30 years. This is a testing year There has not been a site that has reached the 30 year mark yet. Next year will be the year to close this out and hopefully the state will have some answers for that. Commissioner Hamilton noted the contract is for $6500.00. Pam further explained that the testing is for contamination since the site was shutdown. There has not been any signs of contamination over the last several years of testing. This is needed to close the site. Commissioner Riveland MOVED to approve the Dowl Testing Contract for solid waste testing. Commissioner Hamilton SECONDED. No discussion. Motion passed unanimously.

Economic Development
A) D.A. Davidson underwriting engagement letter. Stephanie Ray explained that D.A. Davidson would assist the county through a potential general obligation bond for the Law and Justice Center. This is a no cost engagement letter. This just provides the county with information, expertise and guidance on putting together a bond. Commissioner Riveland MOVED to approve the D.A. Davidson underwriting engagement letter. Commissioner Hamilton SECONDED. No discussion. Motion passed unanimously.

Commission
A) Resolution 2022-22 to distribute metal mines license tax for the second six months of 2021. Commissioner Hamilton explained that the total amount for this is $1,759,403.10 to be distributed. County Planning receives $351,880.62, Absarokee Elementary receives $99,589.25, Columbus Elementary receives $225,734.94, Fishtail Elementary receives $19,916.44, Nye Elementary receives $6,639.99, Absarokee High School receives $168,902.70 and Columbus High School receives $182,977.92. Commissioner Riveland MOVED to approve Resolution 2022-22 to distribute metal mines license tax for the second six months of 2021. Commissioner Hamilton SECONDED. No discussion. Motion passed unanimously.

B) Letter to County Treasurer for allocation of metal mines tax reserve funds for second 6 months of 2021. Commissioner Hamilton explained that this is just a letter to direct the Treasurer on how to distribute the above listed funds through the resolution. Commissioner Riveland MOVED to approve letter to County Treasurer for allocation of metal mines tax reserve funds for second 6 months of 2021. Commissioner Hamilton SECONDED. No discussion. Motion passed unanimously.

PUBLIC COMMENTS ON COUNTY BUSINESS – Fiona Nave, representing the Stillwater Republican Committee, read a letter that stated that the committee recognizes that the Commissioner District #2 position is currently vacant. Since the resignation occurred prior to the primary for this election season, it was not prudent for the Central Committee take action at that time to fill the vacancy until after the election was over. It is the policy of the Central Committee to not endorse any candidates before the primary and that no official action would be taken so it would not appear as if there was and attempt to influence the outcome of the election.
The primary has passed and the Central Committee needs to follow through with its responsibility. The Central Committee submits three names nominees who meet the statutory requirements to the Commission from whom they shall appoint one of the three to fill the vacancy. The nominees are Jerry Dell, Jeff Ruffatto and Diana Scolland. In the event that the Commission is unable to select one of these candidates, they should request that the Central Committee submit a second list of three names, not to include any names from the first list. The appointee is then selected from all the names on both lists. Finally, the Central Committee believes that Stillwater County, especially District #2, has experienced an extraordinary flood event causing millions of dollars of damage to property and infrastructure requiring county, state and federal assistance for the owners of residences and businesses. The need to fill this position has now become urgent. As soon as the appointment is made, the new Commissioner can become ready and able to assist Stillwater residents with continuing protection and restoration tasks. We encourage the Commissioners to carefully consider each of the individual candidates and choose to fill this vacancy as soon as possible. The Central Committee thanks you for your consideration.

Maureen Davey commented that she would like to encourage the Commissioners to appoint someone to the position that is open. Maureen stated that she is not an attorney but she has read the statute several times and have been familiar with it and in her past experience, 7-4-2106 addresses a vacancy in the Commissioners position. One word that stands out is shall, shall appoint. She thinks this important because of the current position with all the business going on in the county, we are short one commissioner and we just got more business last week with the flood. She thinks we have a candidate that the people voted for and he has finance backing. Maureen looked at the auditors report last year and there are several things that need immediate attention and by appointing someone of Jeff Ruffatto’s background and his winning the primary, its important for the Commissioners to appoint somebody as soon as possible. If the statutes are followed which the letter makes it clear, why can’t it be done as soon as possible. Maureen thanked the Commissioners for all their efforts with this emergency and all the county people.

Jeff Ruffatto commented that he would like to thank all the voters who cast a ballot on June 7. Given those results, he would like to go on record to say that he is ready to go to work as soon as possible. Jeff stated that he would be happy to dive in and do his part to help the residents of Stillwater County, especially at this time.

Jerry Friend commented that there is a process for those whose property has been detrimentally affected by floods. Property taxes will be affected next fall so landowners need to contact the Department of Revenue as soon as possible. The DOR will specify what landowners will need to do regarding affected property. The contact phone number for the DOR is 322-8558.

With no further comments heard the meeting was adjourned at 9:16 a.m.

APPROVED BY: /s/ Tyrel Hamilton, Commissioner Chairman
ATTEST: Heidi L. Stadel, Clerk and Recorder